

LUKE W. COLE, California Bar No. 145,505
CAROLINE FARRELL, California Bar No. 202,871
BRENT J. NEWELL, California Bar No. 210,312
Center on Race, Poverty & the Environment
47 Kearny St, Suite 804
San Francisco, CA 94108
415/346-4179 • fax 415/346-8723

NANCY S. WAINWRIGHT, Alaska Bar No. 8711071
Law Offices of Nancy S. Wainwright
13030 Back Road, Suite 555
Anchorage, AK 99515-3358
907/345-5595 • fax 907/345-3629

Attorneys for Plaintiffs Enoch Adams, Jr., Leroy
Adams, Andrew Koenig, Jerry Norton, David
Swan and Joseph Swan

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

ENOCH ADAMS, JR., LEROY ADAMS,
ANDREW KOENIG, JERRY NORTON
DAVID SWAN and JOSEPH SWAN,

Plaintiffs,

v.

TECK COMINCO ALASKA INCORPORATED

Defendant.

NANA REGIONAL CORPORATION and
NORTHWEST ARCTIC BOROUGH,

Intervenors-Defendants.

Case No. A04-49 (JWS)

**DECLARATION OF LUKE
COLE IN SUPPORT OF
PLAINTIFFS' OPPOSITION
TO MOTION FOR
RECONSIDERATION**

**DECLARATION OF LUKE COLE IN SUPPORT
OF PLAINTIFFS' OPPOSITION TO
MOTION FOR RECONSIDERATION**

1 I, Luke Cole, declare:

2 1. I am over 18 years of age and not a party to this action.

3 2. Attached as Exhibit 1 is a true and correct copy of excerpts of the Declaration of
4 Michael Kavanaugh taken by Teck Cominco's attorney in this case.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed this 7th
6 day of April.

7
8 /S/ Luke Cole
9
10

11 CERTIFICATE OF SERVICE

12 I hereby certify that on the 7th day of April 2008, a true and correct copy of the foregoing Declaration of Luke Cole was served,
via the Court's electronic mail distribution system, on the below identified parties of record:

13 Sean Halloran
14 Hartig Rhodes
15 717 K Street
Anchorage, AK 99501

Nancy Wainwright
13030 Back Road, Suite 555
Anchorage, AK 99501

Thane Tienon
Landye Bennet Blumstein
1300 SW Fifth Ave, Suite 3500
Portland, OR 97201

16 James E. Torgerson
17 Heller Ehrman White & McAuliffe LLP
510 L Street, Suite 500
Anchorage, Alaska 99501-1959

David S. Case
Landye Bennett
701 W. 8th Avenue, Suite 1200
Anchorage, AK 99501

18 /S/ Luke Cole
19 Luke Cole
20
21
22
23
24
25
26
27
28